



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 9, 2009

IN REPLY PLEASE
REFER TO FILE: **AS-0**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AMENDMENT OF CONTRACTS FOR AS-NEEDED GEOTECHNICAL AND
ENVIRONMENTAL DRILLING SERVICES PROGRAM
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to amend the program for as-needed geotechnical and environmental drilling services throughout the County of Los Angeles.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the work continues to be categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve Amendment No. 1 for Contract No. 001475 with WDC Explorations & Wells, located in Montclair, California; Contract No. 001476 with Gregg Drilling Testing, Inc., located in Signal Hill, California; Contract No. 001479 with American Well Technologies, located in Victorville, California; Contract No. 001480 with Layne Christensen Company, located in Fontana, California; Contract No. 001482 with CTI Telecom Corp., located in Anaheim, California; and Contract No. 001494 with Vironex, Inc., located in Santa Ana, California; and approve Amendment No. 2 for Contract No. 001477 with Boart Longyear Company, located in Santa Fe Springs, California; for as-needed geotechnical and environmental drilling services program to enable the program to continue on a month-to-month basis for up to six months starting July 1, 2009, at a not-to-exceed aggregate program amount of

\$600,000 while the Department of Public Works completes the solicitation process for a replacement program.

3. Authorize the Director of Public Works or her designee to increase the program amount up to an additional 10 percent of the aggregate program sum for unforeseen, additional work within the scope of the program, if required.
4. Authorize the Director of Public Works or her designee to execute the amendments.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to extend the program term for as-needed geotechnical and environmental drilling services on a month-to-month basis starting July 1, 2009, for up to six months. These amendments are required to provide these services while the Department of Public Works (Public Works) completes the solicitation process for a replacement program. The preparation of solicitation began several months ago, but the need for extensive changes in the scope of work to include procedures that would comply with Caltrans' Local Assistance Procedures Manual in order to qualify for federally funded projects is delaying the award of a replacement program. When proposals have been received and evaluated, Public Works will recommend contract awards for continued provisions of these services.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The contractors who have the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner will support Public Works in meeting these goals.

FISCAL IMPACT/FINANCING

The requested not-to-exceed aggregate program amount is \$600,000 for the six-month period plus an additional 10 percent of the program sum for unforeseen, additional work within the scope of the program, if required. This amount is based on Public Works' historical utilization of the program and anticipated projects scheduled for the program's extension.

Financing for these additional services is included in the Fiscal Year 2009-10 Proposed Public Works' various fund budgets. When the need arises for services under the program, financing the required services will be made available from the appropriate fund source. Total annual expenditures for these services will not exceed the program

amount approved by your Board, and no services will be ordered without the funding authorization of Public Works' Financial Management Branch.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The amendments, which are substantially reflected in the attached (Attachments A and B) form, will continue the current program's terms, specifications, and conditions. Public Works will obtain County Counsel approval as to form, prior to execution of the amendments. The Director of Public Works or her designee will execute the amendments in accordance with your Board's authorization.

Your Board approved the program on April 6, 2004, Agenda Item 24. The program commenced on May 1, 2004, and was for an initial two-year period with three 1-year renewal options for a total program period of five years.

On June 13, 2006, Agenda Item 49, your Board approved Supplement 1, increasing the not-to-exceed maximum aggregate program amount from \$300,000 to \$600,000 for the first option year only, to satisfy the greater-than-expected geotechnical and environmental drilling demand. All terms, conditions, requirements, prices, and specifications of the original program remained unchanged for Supplement 1.

On October 2, 2007, Agenda Item 32, your Board approved Supplement 2, increasing the not-to-exceed maximum aggregate program amount from \$300,000 to \$800,000 for the second option year and the subsequent final option year to certify multiple levees throughout the County of Los Angeles to comply with the National Levee Certification Program, established in 2006 by the Federal Emergency Management Agency in response to Hurricane Katrina and the resulting catastrophic failure of the levee system that protects the Gulf Coast.

On June 18, 2008, Public Works executed the first amendment to Contract No. 001477 with Prosonic Corporation, d.b.a. Alliance-Prosonic for the assignment of this contract to Boart Longyear Company due to Prosonic's acquisition by Boart Longyear.

The program was extended on May 1, 2009, for up to 60 days in accordance with the program's term. Therefore, the program is set to expire on June 30, 2009.

ENVIRONMENTAL DOCUMENTATION

These services continue to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines. These services are within a class of projects that have been determined not to have a significant effect on the environment in that they meet the criteria set forth in Sections 15306 and 15304 (f) of CEQA.

The Honorable Board of Supervisors
June 9, 2009
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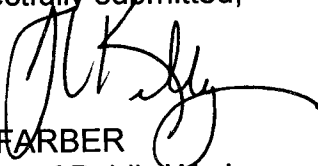
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the amendments will continue the current program's services.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Administrative Services Division.

Respectfully submitted,



GAIL FARBER
Director of Public Works

GF:GZ:cg

Attachments (2)

c: Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office

SAMPLE AMENDMENT 1 TO CONTRACT NO. _____

AS-NEEDED GEOTECHNICAL AND ENVIRONMENTAL DRILLING SERVICES

THIS AMENDMENT (hereinafter referred to as AMENDMENT) , made and entered into this _____ day of _____, 2009, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and _____ a California _____ (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. _____ (hereinafter referred to as CONTRACT) was entered into between the COUNTY and the CONTRACTOR, on May 1, 2004, to provide as-needed geotechnical and environmental drilling services (hereinafter referred to as SERVICES); for a period of two years with three 1-year renewal options, and an additional 60-day extension; and

WHEREAS, the COUNTY has exercised all three renewal options and the 60-day extension, with the term of the CONTRACT, as extended, set to expire on June 30, 2009; and

WHEREAS, the parties desire to further extend the CONTRACT beyond June 30, 2009, on a month-to-month basis for up to six months to allow the COUNTY to pursue a solicitation process for a new contract for the SERVICES, should the COUNTY choose to do so; and

WHEREAS, the CONTRACTOR is willing to continue to provide the SERVICES, under the CONTRACT's existing terms and conditions, during the period as extended under this AMENDMENT; and

NOW, THEREFORE, for full and adequate consideration acknowledged by the parties, the COUNTY and the CONTRACTOR agree that the CONTRACT shall be amended as follows:

FIRST: The term of the contract shall be extended on a month-to-month basis for up to six months starting on July 1, 2009, at an aggregate program amount not to exceed \$600,000, or such greater amount as the Board of Supervisors of the County of Los Angeles may approve.

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SECOND: The Section 3.U.4 of the CONTRACT shall be amended as follows:

- To the extent that extensions of time for Contractor performance do not impact either scope or cost of this Contract, Public Works may, at its sole discretion, grant the Contractor extensions of time provided, however, the aggregate of all such extensions during the life of this Contract shall not exceed 180 days.

THIRD: Except as modified in the AMENDMENT, all terms, conditions, requirements, Form PW-2 (Schedule of Prices), and specifications of the CONTRACT, as amended, shall remain in full force and effect.

FOURTH: Nothing in this AMENDMENT shall be construed as a promise by the COUNTY for any particular work awarded to the CONTRACTOR, which work, if any, shall be awarded on an as-needed basis strictly under the terms of the CONTRACT, as amended; nor shall this AMENDMENT be in any manner construed as an obligation by the COUNTY to pursue any future solicitation for SERVICES or any other work.

[illegible]

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy

[NAME OF CONTRACTOR]

By _____
Its President

Type or Print Name

By _____
Its Secretary

Type or Print Name

SAMPLE AMENDMENT 2 TO CONTRACT NO. 001477

AS-NEEDED GEOTECHNICAL AND ENVIRONMENTAL DRILLING SERVICES

THIS AMENDMENT (hereinafter referred to as AMENDMENT) , made and entered into this _____ day of _____, 2009, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and BOART LONGYEAR COMPANY, a Utah corporation (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. _____ (hereinafter referred to as CONTRACT) was entered into between the COUNTY and the CONTRACTOR, on May 1, 2004, to provide as-needed geotechnical and environmental drilling services (hereinafter referred to as SERVICES); for a period of two years with three 1-year renewal options, and an additional 60-day extension; and

WHEREAS, this Contract was amended on June 18, 2008, to reflect an Assignment from Prosonic Corporation, d.b.a. Alliance-Prosonic., to the CONTRACTOR; and

WHEREAS, the COUNTY has exercised all three renewal options and the 60-day extension, with the term of the CONTRACT, as extended, set to expire on June 30, 2009; and

WHEREAS, the parties desire to further extend the CONTRACT beyond June 30, 2009, on a month-to-month basis for up to six months to allow the COUNTY to pursue a solicitation process for a new contract for the SERVICES, should the COUNTY choose to do so; and

WHEREAS, the CONTRACTOR is willing to continue to provide the SERVICES, under the CONTRACT's existing terms and conditions, during the period as extended under this AMENDMENT; and

NOW, THEREFORE, for full and adequate consideration acknowledged by the parties, the COUNTY and the CONTRACTOR agree that the CONTRACT shall be amended as follows:

FIRST: The term of the contract shall be extended on a month-to-month basis for up to six months starting on July 1, 2009, at an aggregate program amount not to exceed \$600,000, or such greater amount as the Board of Supervisors of the County of Los Angeles may approve.

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[illegible]

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy

[NAME OF CONTRACTOR]

By _____
Its President

Type or Print Name

By _____
Its Secretary

Type or Print Name